App F. IX-4

Previous References

193 .

(Mez/Rod

File No. 265-34

Serial Nos. 1 — 5

Letter References.

Mg Disp 202-35.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 5

Part B for May 1937

SUBJECT.

O.S no 218 of 1935 on the file of the ~~Subordinate Court~~ Addl Sub. Court at Coimbatore for recovery of dues to Sringeri Mutt from P. Kothanna Gounden.

To the Mez Govt
" Govt Pleader
" D.B. Madras

VD 0418—GPB—82,500—29-8-36

No 1.5.84-6 of 28 5-37

Approves of the Mez Govt's action in having engaged Mr Subbaraya Ayyar Advocate Madras to appear in the Madras High Court on behalf of the Mutt in the appeal preferred by Kothanna

IATE.

[illegible] No. 45

36.7

Secr. 3

GEN. SECRETARIAT 183. 19 AUG 1936

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE, 15

Bangalore,....17th..August .. ...193 6.

18

Mzg 265-36-1.

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

M. Venkatesa Iyengar, Esq., L.A.,
Secretary to the Government of His Highness the Maharaja of Mysore,
.....General.....*Department.*

GENL 19 AUG. 1936

SIR,

O.S.No.218 of 1935 on the file of the Additional Sub Court at Coimbatore.
(Sri Sringeri Matha Vs. P. Kallanna Goundan.)

I have the honor to forward herewith a copy of letter No.570/36 dated 14th August 1936 from the Deputy Commissioner, Salem District, together with copies of its enclosures, regarding the Court Amount of Rs.21,600 due by Mr. P. Kallanna Goundan and to state that in the circumstances explained by the Officer-in-Charge and in view of the urgency of the matter, I have authorised the Officer-in-Charge to execute a special Power-of-Attorney in favour of Mr. N. Srikanta Sastry so far as this case is concerned. I request that the action taken by me may kindly be approved.

I have the honor to be,

20 AUG. 1936

SIR,

Your most obedient servant,

Muzrai Commissioner.

1) Submitted with a draft covering approval to the recommendation
19/8 19-8-36. Gen
20.8.36.

2) Submitted for perusal. This reversion to the arrangement of Mr N. Srikanta Sastry acting for the Muzrai seems undesirable. It seems to me that it will be a good thing for Mr Srikanta the Officer-in-charge to take the case on hand as he has taken other business and do whatever is req[illegible] on behalf of the

Serial No.

matter. Mr N. Srikantasastry may have entered into the transaction on behalf of the matter and his evidence may be frequently necessary. In that case he would appear as witness for the plaintiff. The appeal will not be different whether he appears as witness or power of attorney holder. Even if Mr N. Srikantasastry is to be given the power of attorney record for this case it seems desirable that Mr Srikantan shd go to Coimbatore, talk things over with the lawyer the other side's lawyer if necessary and get an idea of the other side's position in the dispute.

Mrs 20/8/36. 20 8 36

First Reminder

The Law Asst. Secy will suggest a way out

S/2 21/8 Mrs 21/8

Law Section W.C.

Mr. Srinivasa Iyer, advocate, Coimbatore says that the case is adjd to 24th August & the Judge has promised to

OFFICE OF THE FIRST MEMBER OF COUNCIL 21 AUG. 1936

Recd 25/8/36 Municipal Branch

Mrs 25/8 (1pm)

NOTE—Contn Sheet.

finish the case on that day. Today is 25th & if the case is therefore closed yesterday at Coimbatore, no need now arises for considering the question regarding the desirability or otherwise of granting a special power to Mr V. Srikanta Sastry for the purpose of conducting the suit. It is moreover apparent from the Hon'ble Court's letter that he has already authorised the officer-in-charge to execute such a power and it is very probable that the officer has acted accordingly, seeing that it was required for the case on the 24th.

6 If however the suit is still not closed, what has to be considered will be the desirability of cancelling the power already given. Such a course under the circumstances does not seem necessary. If however the power of attorney has not been given and the suit is not closed, I think, it is necessary for the officer in charge to be brought on record as the Agent of the Swami and conduct the case. He may for this purpose have to go to Coimbatore and Mr. Srikanta Sastri's presence, if required, may be secured as a witness.

7 There is no information re

Serial No.

49

Law

RTR 25/8

the facts of the case leading to the Suit against Mr Kalliana Gowder and I am therefore unable to understand the need for securing the help of Mr: Srikanta Sastri to conduct the case on behalf of the Municipality by means of a special power as advised by the Advocate at Coimbatore. If any further investigation of this case is necessary, I would suggest a report being got immediately as to what has happened to the case on 24th August, and then copies of the pleadings & issues and all evidence (documentary & oral) so far adduced may be obtained.

Under Secy, Mun Dept WC

25/8

Gen. Secy)

8

Subd for perusal with reference to minute in para 3. I spoke Mr Court clerk this on the 21st evening. He thought that writ should have issued & the Officer-in-charge Srirangam telling him to execute the power gatteur in favour of Mr N. Srikanta Sastriar. I have now ascertained by enquiry on the Telephone that the instruction issued on the 18th inst

25 AUG. 33

792

NOTE—Contn Sheet.

WD 03594—GPB—30,000—18-7 35

letter was sent to Govt. In the circ^{s} it is perhaps unnecessary to ask the Hon. Court to withdraw the instructions ~~regarding~~ authorising the issue of the power of attorney. He may however ask the officer-in-charge to keep fully in touch with the lawyer at Coimbatore and get a report of the progress of the case & submit it immediately after each hearing (should there be any further hearings).

Yes.

Hon
26/8/36.

pre
26/8

First Member)

OFFICE OF THE ... MULL
2 ...
1424

Hon
31/8

" Draft
dsg
1/9/36

Mur for
pre
31/8

" Issue with a draft letter.
dsg
1/9/36

GENL & REV. SECRETARIAT
1 SEP. 1936
MUZRAI BRANCH

1-9-36.

1936
GENL & REV. SECRT.

Serial No.

3

Letter No C 15/36-7 dated 13.10
from the

GENERAL SECRETARY.
19 OCT. 1936
275

(3) It is reported that a decree had passed in favour of the Mutt, that a sum Rs 300/- had been sent to the Advocate in full settlement of his remuneration and incidental expenses, and that the Officer-in-charge of the Taluk, has been instructed to take execution proceedings early.

Filed for perusal.

19/10 19.10.36,
(Sen Reddy)

2
14/10/36

Cuf B
3/11/36

Letter No C 14,21-
from the R.C. in Mysore

Requests ...

WD 0417--GPB—80,000 -8 9 36

File No. of 193 . Gene S

Serial No.

Yuchas Hqrs

15?

Lucknow with a draft G.O. approving

16/ the proposal of the H.C. may be approved.

Draft for approval

2/1917

Gen Kelway

21/5

21/5

First Member

OFFICE OF THE FIRST MEMBER
21 MAY
7707

21/5

21/5

Letter No.570/36 dated 14-8-36 from the Deputy Commissioner, Kadur District, to the Muzrai Commissioner in Mysore.

In forwarding herewith a copy of letter No.50/36-37 dated the 11th instant from the Officer-in-Charge, Sringeri Jahgir, regarding the balance of loan amount of Rs. 21,600 due to the Sringeri Mutt by one Mr. P. Kalianna Goundan of Gobbichettipalyam for the recovery of which, a civil suit is pending in the Sub Court at Coimbatore, I have the honor to state that the Officer-in-Charge reports that His Holiness of Sringeri, represented by Agent Srikanta Sastrigal is the plaintiff in this case, that the case is posted to the 24th instant, that as the presence in Court, of Mr. N. Srikanta Sastriar who has himself made the transaction on behalf of the Mutt would be often necessary, the Vakil in the case suggests that a special Power-of-Attorney either by His Holiness or by the Officer-in-Charge, may be given to Mr. Sastriar. The Officer-in-Charge seeks instructions in the matter of executing a special Power-of-Attorney in favour of Mr. Sastriar.

I request the favour of very early instructions in the matter, as the case is posted to the 24th instant.

"C O P Y"

M.N Anandaram

For Muzrai Commissioner.

Letter No.50/36-37 dated 11-8-36 from the Officer-in-Charge, Sringeri Jahgir, Sringeri, to the Deputy Commissioner, Kadur District, Chikmegalur.

I have the honor to state that a civil suit, viz., O.S.No.218/35 has been pending in the Sub Court at Coimbatore against one Mr. P.Kalianna Goundan of Gobbichettipalyam for the recovery of the balance of loan amount of R 21,600 due as per hypothecation deed dated 25-4-26, executed by him. The plaintiff in this case is His Holiness of Sringeri represented by Agent Mr. N. Srikanta Sastrigal, who at the time of filing the suit held a Special Power-of-Attorney from His Holiness for the administration of properties situate in southern India and to sue in courts for recovery of Mutt dues etc. The vakil who has taken vakalat in this case, in one of his previous letters, wrote to me that Mr. Sastriar's evidence was very important in the case and that he may be addressed to kindly attend the Court on the last date of hearing. In reply, he was informed that as Mr. Sastriar was at Kalhalli, necessary summons might be taken out to obtain his presence at the Court on the date of hearing. He now writes to me that for the conduct of this particular case, Mr. Sastriar may be given a Special Power-of-Attorney, either by me or by His Holiness, in view of the fact that Mr. Sastriar himself has made this transaction on behalf of the Mutt and that his presence in the Court is often unavoidably necessary till the case is over and that the grant of Special Attorney would be less expensive.

I request instructions in the matter of executing a Special Power-of Attorney in favour of Mr. Sastriar, as suggested by the Vakil. As the case has been posted for hearing on the 24th instant, early orders are solicited.

A copy of his letter is enclosed for favour of reference.

"C O P Y"

M N Anandarama

For Muzrai Commissioner.

Letter dated 3-8-36 from Mr. V. Srinivasa Iyer, P.A., P.L., Advocate, Coimbatore, to the Officer-in-Charge, Sringeri Jahgir.

Your kind letter to hand. Mr. Sarma came here on the 31st morning. Possibly he had left Sringeri before my wire. The suit O.S.218/35 is adjourned to 24-8-36. The Judge has promised to finish the case on the 24th. Mr. Sarma's presence is absolutely necessary during the trial. He will have to give evidence with regard to letters written by Kaliappa Goundan as also on other matters within his personal knowledge. I have instructed him to go to Gobi and instruct the witnesses for our side to be present on the 24th without fail.

I understand from your letter that your good self has been appointed Sole Agent by His Holiness. If so, Brahmasri Sastrigal ceases to be the Agent and he has no power to represent His Holiness in suits any longer. Therefore, I suggest that an application may be made to the Court to bring your name on the record as the Agent or, either yourself or His Holiness may give a Special Power- of-Attorney to Sastriar to conduct all proceedings in connection with the suit O.S.218 of 1935 on the file of the Additional Sub Court, Coimbatore. In the former case, you will have to file a fresh petition and exhibit the Power-of-Attorn in your favour. If the Power-of-Attorney in your name bears only Mysor Stamp , it will have to be stamped with British India Stamp and then only filed in the Court. That course will involve some trouble and expense. The other course, viz., to execute a Special Power ~~of Attorney~~ only for the suit in favour of Mr. Sastriar is easier and less expensive. If approved, I shall send a draft to you. Either you or His Holiness can give the Special Power.

"C O P Y"

M N Dharmaraja

For Muzrai Commissioner.

SUBJECT.....

.....

.....

Section. Mesc

File No. 265 - 36

Serial No. 2

Diary No. of letter replied to . ...

No. 354

To

The M.C in Mysore

Sir,

With reference to your letter no C 65/36-37 dated 18-8 I am directed to convey approval to your action in having authorised the Officer in charge of the Sri Ranga Jaghir to execute a special power of attorney in favour of Mr. Sri Kanta Sastry to conduct all proceedings in connection with the

General and Revenue Secretariat.

( )

the 193 .

Date of issue 21/9/36.

Signed by 1606 Subbarayappa

List of enclosures. .....

Copied by .....

Examined by .....

Kaliamma Gounden) on —
the file of the Additional
Sub court at Coimbatore..
The Officer in-charge of the Taphri
may be asked to keep himself
fully in touch with the lawyer (Com. V. Srinivasa Iyer, Advocate
at Coimbatore, and get a
report of the progress of the
case and submit it immediately
after each hearing (whether there
any further hearing is).
more etc

9/9/86.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 2nd Sept 1936.

No. 354 Mwz

From

M. Venkatesa Iyengar, Esquire, M.A.,
General Secretary to the Government of His Highness the Maharaja of Mysore

To

K.V. Anantaraman, Esquire, B.A.,
Muzrai Commissioner in Mysore, Bangalore.

Sir,

With reference to your letter No. C. 45/36-37 dated the 18th August 1936, I am directed to convey approval of Government to your action in having authorised the Officer in charge of the Sri Sringeri Jaghir, to execute a special power of attorney in favor of Mr. N. Srikanta Sastry to conduct all proceedings in connection with the Suit O.S. No. 218 of 1935 (Sri Sringeri Mutt Vs. Kallianna Gounden) on the file of the Additional Sub Court at Coimbatore. The Officer in charge of the Jaghir may be asked to keep himself fully in touch with the Lawyer at Coimbatore (Mr. V. Srinivasa Iyer, Advocate) and get a report of the progress of the case and submit it immediately after each hearing (should there be any further hearings).

I have the honor to be,
S i r ,
Your most obedient servant,

Subbarayappa

for General Secretary to Government.

P.H.

GENL. & REV. SECRETARIAT
464
17 OCT. 1936
M : AI LI CH

45
367
Encl-1

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore,.... 12th October ...*1936*

43

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore

Muz 265-36-3

To

GENERAL SECRETARY.
15 OCT. 1936

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness the Maharaja of Mysore,
.....General..... ..... *Department.*

SIR,

O.S.No.218 of 1935 on the file of the Additional Sub Court at Coimbatore.
(Sri Sringeri Mutt Vs. Kalianna Gounden).

With reference to correspondence ending with your letter No.354 Muz. dated 2-9-1936 re. the above, I have the honor to forward herewith for information a copy of letter dated 29-9-1936 from the Officer-in-Charge Sringeri, received with Kadur District Deputy Commissioner's letter No. 570/36-37 dated 2-10-1936 stating that a decree was passed in favour of the Mutt and that a sum of Rs 300 was sent to the Advocate in full settlement of his remuneration and incidental expenses. The Officer-in Charge has been instructed to take execution proceedings as early as possible.

I have the honor to be,

Sir,

Your most obedient servant,

K V Anantaraman

for Muzrai Commissioner.
Absent from Station.

Letter dated 29-9-36 from the Officer-in-Charge, Sringeri Jahgir, Sringeri, to the Deputy Commissioner, Kadur District.

With reference to No.570 dated 16-9-1936, I have the honor to state that Advocate Me. V. Srenevasir, Coimbatore, has wired to-day that a dec: has been passed in O.S.No.218 of 1935 (Sri Sringeri Mutt, Vs. Kaleyanna Gowdangobi) in favour of the Mutt. A copy of the telegram is sub-joined for favour of kind information.

To Officer-in-Charge, Sringeri Mutt, Sringeri.

"Decreed as prayed. Srinivasier".

I have asked the Advocate to obtain and send me a copy of the judgment and decree. I shall submit the same on receipt.

Mr. Srikanta Shesiar who instituted the case and who engaged Mr. Srinivasier under the special power-of-attorney granted to him by His Holiness, has intimated that the fees due to the Advocate as fixed by him is Rs. 400 against Rs. 720 claimed by him as being admissible under the rule. The Advocate intimated in his letter dated 1-9-1936 that in case the lawyer's fee is to be included in the court costs awarded in the decree he should render a certificate to the court regarding the amount of fees received by him within 3 days of the passing of the decree and requested in the circumstance that the amount due to him viz., Rs. 400 may be sent immediately so that he may file the certificate in fund. For initial expenditure, the lawyer had been advanced Rs. 1,500 when the suit was instituted and according to the amount rendered by him Rs. 1,364 has been spent for stamps and other incidental expenses and Rs. 36 has been reserved by him for obtaining copy of judgment and decree. Excluding the balance of Rs. 100 remaining with him, a sum of Rs. 300 has been remitted to him towards fees in full settlement which may kindly be approved.

"C O P Y"

M N Anandalwar

For Muzrai Commissioner.

45
36.7

GENL. & REV. SECRETARIA 436 6 NOV. 1936

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore,...3rd..November.....193 6.

4

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore

To

L...Venkatesa Iyengar, Esq.....A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General..... *Department.*

GENERAL SECRETARY. 4 NOV. 1936

SIR,

Re C.S.No.218 of 35 on the file of the Additional Sub Court at Coimbatore.
(Sri Sringeri Mutt Vs. Kalianna Goundan.)

In continuation of this office letter dated 13th instant re. the above, I have the honor to state for the information of Government, that it is reported by Mr. V. Srinivasier, Advocate, Coimbatore, that steps are being taken to get possession of the lands by means of a Receiver-Petition and that the defendants are contemplating to file an appeal to the High Court. The Advocate says that it will be possible to have the matter settled with the defendant by getting a sale deed from them for about 12½ to 13 acres of Nanja lands. Either the Officer-in-Charge or the Deputy Commissioner has not said anything about this suggestion and further report will be called for and submitted for further orders of Government.

I have the honor to be,

Sir,

Your most obedient servant

Muzrai Commissioner.

O 13.] No. C 1425/36-37 cres. two.

GENL. & REVENUE SECRETARIAT 1104 18 MAY 1937 17

OFFICE OF THE MUZRAI COMMISSIONER, MYSORE,

Bangalore,.... 14th May .. ....193 7.

Mez. 265-36-4.

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore

To

GENERAL S 15 MAY 1937

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness the Maharaja of Mysore,
.... General ... ... *Department.*

SIR,

O.S.No.218 of 35 on the file of the Additional Sub Court at Coimbatore (Sri Sringeri Mutt Vs. Kaliyanna Gowndan).

---

2. In continuation of this office letter No.C.45/36-37 dated 4-11-1936, I have the honor to forward herewith a copy of letter No.S2.570/36 dated 4th May 1937 together with a copy of its enclosure received from the Deputy Commissioner, Kadur District, stating that Kaliyanna Gowndan has appealed to the High Court of Madras against the order and decree in the above and requesting that the action taken by the Officer-in-Charge, Sringeri, in engaging the services of Mr. M. Subbaraya Ayyar, Advocate, Madras, may be approved. I request that approval of Government to the above arrangement may kindly be obtained. The Deputy Commissioner will be requested to fix the remuneration payable to the Advocate beforehand and intimate the same early.

Y.X

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

No.S2-570/36 dated 4-5-37 from the Deputy Commissioner, Kadur Dis-
to the Muzrai Commissioner in Mysore.

18

I have the honor to forward herewith a copy of letter No.991 dated nil, ceived from the Officer-in-Charge of Sringeri stating that an appeal has been preferred in the High Court of Judicature of Madras, against the decree and order passed by the Additional Subordinate Judge of Coimbatore in O.S.No.218 of 35-36 (Sringeri Mutt Vs. Kaliyamna Gowndan and others of Gobichettipalyam) and a notice has been received from the High Court fixing the date of hearing to the 5th instant.

The Officer-in-Charge has reported that in view of the fact that the date of hearing is very near, he has engaged Mr. M. Subbaraya Ayyar, B.A., B.L., Advocate, to appear on behalf of the Mutt.

In view of the circumstances represented by the Officer-in-Charge, I request that his action in having engaged the services of the Advocate to represent the Mutt in the High Court, may kindly be approved.

"COPY"

M. N. Anandaram.

For Muzrai Commissioner.

Letter No.991 dated nil from the Officer -in-Charge, Sringeri Mutt and Jahgir, Sringeri, to the Deputy Commissioner, Kadur District, Chikmagalur.

I have the honor to state that an appeal has been preferred against the judgment and decree passed in O.S.No.218 of 35 of the Additional Sub Court at Coimbatore (Sringeri Mutt Vs. Kaliyanna Gowndan and others Gobichettipalyam) in the High Court of Judicature at Madras on the 14th April 37 and a Notice has also been received from the High Court fixing the date of hearing on the 5th of the next month. In view of the fact that the date of hearing the appe is very near, I have requested Mr. M. Subbaraya Ayyar, B.A., B.L., Advocate, Madras, to take up the case and appear in the High Court on behalf of the Mut I request that my action may kindly be approved.

"COPY"

M. N. Anandalwar

For Muzrai Commissioner.

SUBJECT .....

.....

.....

Diary. No. of letter replied to.....

Section Mez

File No. 265-38

Serial No. 5

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 28-5- ...1938

Signed by Mr Mir Safdar Hussain

Read— Letter No C 1425/86-37 14.5.1937 from the M.C in Mysore stating that an appeal to the High Court of Judicature of Madras has been preferred against the decree and order passed by the Additional

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

Order thereon.—No. Subordinate of Coimbatore in O.S. No 218 of 1935-36 (Sri Sangen Mudr v Kaliyan Goundan and others of Gobichettipalayam), that owing to the urgency in the case the Officer-in-charge of the Sangen Mudr has engaged

Madras

to appear on behalf of the Mutt in the case and requesting Sanction to the action taken by the Officer in-charge of the Mutt, the Deputy Commr Kadur &c, being asked to fix the Commutation payable to the Advocate beforehand, and to intimate to the same early.

1584-6. Encl 1 & M.C

The Recommendation of the M.C is approved

List of Enclosure

2/5

Secl Secretary

2/1917-

18/5-

The M.C

Comptroller

D.C. Kadur

Copied by

Examined by